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|---|--------------------------|---------------------------|
| DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION | Attorney Docket Number | P-154-US1 |
| | First Named Inventor | Martin S. LINSELL |
| | COMPLETE IF KNOWN | |
| | Application Number | Not yet assigned |
| | Filing Date | Even date herewith |
| | Group Art Unit | Not yet assigned |
| | Examiner Name | Not yet assigned |
| <input checked="" type="checkbox"/> Declaration Submitted With Initial Filing <input type="checkbox"/> Declaration Submitted After Initial Filing | | |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CRYSTALLINE β_2 ADRENERGIC RECEPTOR AGONIST

the specification of which (Title of the Invention)

☒ is attached hereto
OR

☐ was filed on _____s United States Application Number or PCT International Application Number
_____and was amended _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|---------------------|--------------------------|-----------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto. |
|-----------------------|--------------------------|--|
| 60/398,678 | 07/26/2002 | |
| 60/398,928 | 07/26/2002 | |

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| DECLARATION | Page 2 |
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I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| US Parent Application Number | PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|------------------------------|-------------------|---------------------------------|--------------------------------------|
| | | | |

☐ Additional US or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

I hereby appoint the following attorney(s) and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and transact all business in connection with international applications directed to said invention:

the practioners associated with customer number 27,038, including those listed below;



2 7 0 3 8

and said Jeffrey A. Hagenah to have in addition the power to revoke the power granted to all others listed below and the power to grant associate powers of attorney.

| Name | Registration Number | Name | Registration Number |
|-----------------------|---------------------|---------------------------|---------------------|
| David E. Boone | 27,857 | Jeffrey A. Hagenah | 35,175 |
| Joyce G. Cohen | 44,622 | Roberta P. Saxon | 43,087 |

☐ Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

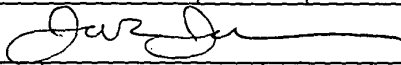
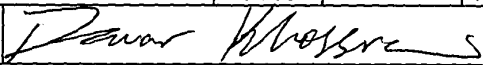
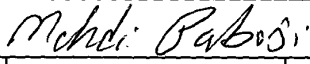
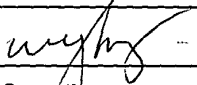
Please direct all correspondence to:

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| Telephone 650/808-6000 | Fax 650/808-6078 |
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | | | | |
|---|----------------|---|----|-------------|---------|-------------------|--------|
| Name of Sole or First Inventor: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name | Martin | Middle Initial | S. | Family Name | Linsell | Suffix, e.g., Jr. | |
| Inventor's Signature | | | | | Date | 18 JUL 03 | |
| Residence: City | San Francisco | State | CA | Country | U.S.A. | Citizenship | UK |
| Mailing Address | 37 Coso Avenue | | | | | | |
| City | San Francisco | State | CA | Zip | 94110 | Country | U.S.A. |
| <input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto | | | | | | | |

| DECLARATION | | | | ADDITIONAL INVENTOR(S) Supplemental Sheet | | | |
|--|---|----------------|----|---|------------|-------------------|-----|
| Name of Second Joint Inventor, if any: | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | |
| Given Name | John | Middle Names | R. | Family Name | Jacobsen | Suffix, e.g., Jr. | |
| Inventor's Signature |  | | | | Date | 7/18/2003 | |
| Residence: City | San Mateo | State | CA | Country | USA | Citizenship | USA |
| Mailing Address | 16 Oak Valley Road | | | | | | |
| City | San Mateo | State | CA | Zip | 94402 | Country | USA |
| Name of Third Joint Inventor, if any: | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | |
| Given Name | Davar | Middle Names | | Family Name | Khossravi | Suffix, e.g., Jr. | |
| Inventor's Signature |  | | | | Date | 17 July 2003 | |
| Residence: City | San Mateo | State | CA | Country | USA | Citizenship | USA |
| Mailing Address | 161 Laurie Meadows Dr. #568 | | | | | | |
| City | San Mateo | State | CA | Zip | 94403-4867 | Country | USA |
| Name of Additional Joint Inventor, if any: | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | |
| Given Name | Mehdi | Middle Initial | | Family Name | Paborji | Suffix, e.g., Jr. | |
| Inventor's Signature |  | | | | Date | July 17, 2003 | |
| Residence: City | Cupertino | State | CA | Country | USA | Citizenship | USA |
| Mailing Address | 10351 Byrne Avenue | | | | | | |
| City | Cupertino | State | CA | Zip | 95104 | Country | USA |
| Name of Additional Joint Inventor, if any: | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | |
| Given Name | Weijiang | Middle Initial | | Family Name | Zhang | Suffix, e.g., Jr. | |
| Inventor's Signature |  | | | | Date | July 17, 2003 | |
| Residence: City | Cupertino | State | CA | Country | USA | Citizenship | USA |
| Mailing Address | 7956 McClellan Road, Apt. 2 | | | | | | |
| City | Cupertino | State | CA | Zip | 95014 | Country | USA |
| Name of Additional Joint Inventor, if any: | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | |
| Given Name | | Middle Initial | | Family Name | | Suffix, e.g., Jr. | |
| Inventor's Signature | | | | | Date | | |
| Residence: City | | State | | Country | | Citizenship | |
| Mailing Address | | | | | | | |
| City | | State | | Zip | | Country | |